

REMARKS

Claims 1 - 9 are pending in this application. Claims 1 - 9 stand rejected.

The specification and drawings stand rejected for not showing every claimed feature of the invention. A proposed corrected drawing for FIG. 6 is enclosed with this response. FIG. 3 stands objected to because reference signs 72 and 76 are not mentioned in the description. A corrected Par. 32 is included below to identify reference signs 72 and 76. Support for the added identities is found on page 21, Par. 51.

The specification is further objected to because of repeated informalities in use of the symbol “□.” This symbol was inserted by the word processor or printer in place of the symbol used in the original text, for an unknown reason. Corrected paragraphs are included above with the proper symbol. Support for the changes is found in the parent patent, U.S. Patent No. 6,606,148.

The specification is further objected to as failing to provide proper antecedent basis for the claimed subject matter regarding the second detector positioned to received backscattered radiation from a different frequency spectrum. This antecedent basis is now added to amended Par. 52 and corrected FIG. 6. Support for these additions is found in originally filed Claim 8.

Claims 3 and 9 stand objected to. Claims 3 and 9 have been canceled.

Claim 8 stands rejected under 35 U.S.C. 112, first paragraph. This rejection is respectfully traversed. Claim 8 has been amended, along with the specification and FIG. 6, to comply with the written description requirement. The amendments find support in the originally filed claim 8, FIG. 6 as originally filed and the original description of FIG. 6. These all show that the inventors had possession of the claimed invention at the time the application was filed. The “second detector positioned to receive radiation backscattered by the optical fiber” and “sensitive to a different spectrum of backscattered radiation” are clearly called out in the original claim. Amended FIG. 6 and amended Par. 52 now clearly show and identify the first and second detectors and associated components.

Claim 8 stands rejected under 35 U.S.C. 112, second paragraph, as being incomplete. This rejection is respectfully traversed. Claim 8 has been amended to add elements that cooperate.


Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Wong et al and Derickson et al. This rejection is respectfully traversed. Claim 1 has been amended to add elements not taught by the references. For example, a second frequency generator phase locked to a first frequency generator is not taught by Wong et al or Derickson et al. Therefore, Claim 1 is believed to be patentable over the references.

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Wong and Derickson. This rejection is respectfully traversed. Wong et al teaches (at col. 11, lines 16-25) the variation of modulation frequency over a larger span. This is quite different from the use of a second detector, as taught by Applicants. The references neither teach nor suggest the use of a second detector, as taught by Applicants, and the references would not apply to the problem addressed by Applicants. Therefore, Claim 8 is believed patentable over Wong and Derickson.

A Supplementary Information Disclosure Statement is submitted herewith.

In view of the above remarks, Applicants respectfully request that the Examiner expeditiously allow this case to issue. If there are any additional fees due in connection with the filing of this Response, the Supplementary Information Disclosure Statement or any future responses related to this pending application, please charge the fees to our Deposit Account No. 02-0383.

Respectfully submitted,

By: 
Howard L. Speight
Registration No. 37,733

Baker Botts L.L.P.
910 Louisiana
One Shell Plaza
Houston, Texas 77002-4995
Telephone: (713) 229-1848
Facsimile: (713) 229-2848